

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

CASE REPORT

Investigation Number 12-251-00307	Date of Occurrence 9-29-2012	License Number ABRA-082667	Application Number
Trade Name Warehouse/Loft		Owner/Licensee (List Sole Owner or Principal) 411 Dance Associates, LLC / Samuel Wilson Steward, President	
Address 411 New York Avenue N.E., 20002		License Description CX	Date of Complaint 9-29-2012
Complainant Name, Phone and Address			<input type="checkbox"/> Anonymous
Investigator Name Felicia Martin		Type of Report <input checked="" type="checkbox"/> Investigative <input type="checkbox"/> Supplemental <input type="checkbox"/> Information	
Alleged Violation(s) and Code/Regulation Citation			Substantiated Yes/No
D.C. Official Code §25-823 Revocation or suspension for violations of this title or misuse of licensed premises			
D.C. Official Code §25-826 Summary revocation or suspension			
Manager-in-charge/Owner's name at the time of inspection and identification: Samuel Wilson Steward- Owner			
All Licenses in Compliance: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable			
List Licenses not in Compliance:			
<p>SUMMARY:</p> <p>On Saturday, September 29, 2012, Alcoholic Beverage Regulation Administration (ABRA) Investigator Felicia Martin was able to substantiate that a male was shot outside the establishment t/a Warehouse/Loft, located at 411 New York Avenue N.E. On Saturday, September 29, 2012, the Metropolitan Police Department (MPD) Chief of Police, Cathy Lanier closed the establishment at 6:00 p.m., for 96 hours under her authority within the Emergency Suspension of Liquor Licenses Act of 2005.</p> <p>DETAILS:</p> <p>This investigation was initiated based upon two PD-251 reports #CCN: 12137520 and #CCN: 12137521 (Exhibits #1 & #2) received from the Metropolitan Police Department (MPD). The PD-251 #12137520, states the following:</p> <ul style="list-style-type: none"> R-1 reports that at the listed location, he heard approx. 6 to 10 shots. C-1 was found in the rear of 411 New York Ave NE (The Warehouse/The Loft), on the ground with a single gunshot to the lower body. C-1 was transported to MedStar by Medic 17 and treat by Dr. Street. C-1 was listed in stable condition. 			

- **5D23 (Det Clingerman) and CSS responded to the scene.**

- **CIC was notified at 0430 Ofc Young**

The PD-251 #12137521, states the following:

- **R-1 reports on the listed date and time that a shooting occurred at 411 New York Ave NE (The Warehouse/Loft) with CCN 137-520.**
- **Investigator Felicia Martin of ABRA responded to the scene.**

On Saturday, September 29, 2012, at approximately 1:04 a.m., Johnnie Jackson, ABRA's Chief of Enforcement instructed Investigator Martin to respond to the Warehouse/Loft, located at 411 New York Avenue N.E., to assist MPD with a subject who was shot in the chest. At approximately 1:25 a.m., ABRA Investigators Martin and Kofi Apraku arrived on the scene, and were later joined by ABRA Investigators Donnell Butler and Abyie Ghenene. Investigator Martin observed several MPD police officers standing outside the Warehouse/Loft and bystanders were standing behind police tape. Investigator Martin made the investigators identity known to an unidentified police officer and was granted permission to enter the restricted area.

Investigator Martin observed a large unruly crowd of approximately 60-70 people standing inside a loading dock area which was later identified as the main entrance to the Warehouse/Loft (Exhibit #3). The police were standing shoulder to shoulder preventing all from leaving (Exhibit #4, taken on 10-1-2012), so immediate entry for the investigators was delayed. The crowd was unruly and someone closed the roll down door enclosing the crowd which separated them from police officers. Approximately 10-15 minutes later the police permitted the partygoers to leave and the investigators were able to enter the establishment. Once inside, the investigators met with Mr. Steward who identified himself as the owner. According to Mr. Steward, he was first advised of the shooting from Kevatte, who he identified as Head of Security. Mr. Steward stated prior to the shooting the establishment was incident free. Mr. Steward stated that the establishment hosted an event promoted by CUPS and this was his first time using the promoter. Mr. Steward stated that his bartender (later identified as Lamine N'dour) referred the use of CUPS. Mr. Steward stated that the event time was from 9:00 p.m., until 4:00 a.m., with a cover charge of \$10.00, no special perks and the promoter expected approximately 350 patrons to attend. According to Mr. Steward at the time of the incident the establishment had approximately 350 patrons inside and the dock door was being used as the main entrance. Mr. Steward stated that he has a written contract and e-mailed a copy to Investigator Martin while on the scene. Mr. Steward stated that the establishment is equipped with 9-10 surveillance cameras and all were working, however; there is no security camera located in the area where the shooting occurred. Mr. Steward stated that video footage rerecords every three to four weeks. Mr. Steward stated that there were eight people working security, four were working the dock door which is the main entrance and four were working inside. Mr. Steward stated that no side entrances were used. According to Mr. Steward the inside layout consists of one floor identified as the loft side or warehouse side. Mr. Steward stated that one security guard was positioned on the dance floor (loft side), one was positioned at the bar, one was positioned on the warehouse side and one was positioned in the hallway shared by the loft side and warehouse side. Mr. Steward stated that pat downs are conducted and no metal detectors and wands are used. Investigator Kofi conducted a Regulatory Inspection (Exhibit #5) and no ABRA violations were found.

On Saturday, September 29, 2012, Investigator Martin interviewed Kevette Jones. Ms. Jones stated that she was working on the night of the incident as a security guard. Ms. Jones stated that she has been working security at Warehouse/Loft, on/off for over one year. Ms. Jones stated that she is a contract worker describing contract worker as "When [h]e needs somebody he calls and says hey do you want to work?" Ms. Jones stated that there were two lines positioned outside the dock area, one for males and one for females, for conducting pat downs. Ms. Jones stated that a table was set up to search bags. Ms. Jones stated that everyone is searched including DJ's and promoters. Ms. Jones stated that there were approximately 330 patrons inside the

establishment and she kept count using a clicker. Ms. Jones stated that suddenly the dock area was "bum rushed" by people coming from the direction of 4th Street (Exhibit #6, photo taken from Google), and there were so many people she could not see the street. Ms. Jones stated that the partygoers damaged a tent which was erected inside the dock (Exhibit #7). Ms. Jones stated that the promoter told the crowd that he was going to open a side door (Exhibit #8, photo taken on day of incident) (Exhibit #8A, taken on 10-1-2012) and he ran towards the side door and the crowd ran behind him. Ms. Jones stated that she pushed the button and closed the door with three partygoers inside (Exhibit #9, taken later on 9-29-2012). Ms. Jones stated that she did not know how much time passed, although other security guards believed that it could have been eight, ten or fifteen minutes later when loud voices, kicks and bangs, on the dock door alerted them that someone was shot. Ms. Jones stated that they called the police, however; she did not hear any gunshots, but called the police. Ms. Jones stated that partygoers had to be at least 18 years old to enter and were identified by a black mark placed on their hand upon entry, and the 21 and over patrons received the promoters stamp in the web of the hand upon entry. Ms. Jones described the promoter as a black male, with dreads colored with orange tips. Ms. Jones stated that each security guard wears a shirt with the word security printed on it (Exhibit #10). Ms. Jones stated that each security person is equipped with a two way radio.

After interviewing Ms. Jones, the investigators returned inside in an attempt to locate the promoter. Investigator Martin noticed a male matching the description given by Ms. Jones. Investigator Martin asked the group of five males which person was the promoter and no one replied. After a moment of silence a male (later identified as Lamine N'dour, the bartender for the establishment) stated that he was the promoter. Investigator Martin delayed speaking to him and focused on a male matching the description given by Ms. Jones and asked the male if he was the promoter and he replied, no. Investigator Martin believed the male was untruthful and asked the male his name, however; he refused to cooperate. Investigator Martin asked the help of an MPD Detective who persuaded the male to identify himself and he complied. The male identified himself as Sean Julius Williams, however; he stated that he had no identification.

Investigator Martin interviewed Mr. Williams who stated that this was his first promotional event and he had no written or verbal contract with Mr. Steward. Mr. Williams stated that he is not licensed in the District of Columbia to do business and the partygoers were primarily Howard University students. Mr. Williams stated that he is not a student at the university. Mr. Williams stated that he did not promote the event through any social media and the event spread by word-of-mouth. Mr. Williams stated that the event was to be held from 10:00 p.m., until 2:00 a.m., and no cover charge was required.

Investigator Martin spoke with Mr. Steward and asked him if the side door was used as an entrance and Mr. Steward replied, no. Investigator Martin explained to Mr. Steward that he could be charged with failing to cooperate and encouraged him to be truthful, so Investigator Martin asked Mr. Steward again if the side door was used as an entrance and Mr. Steward replied yes, with an explanation. Mr. Steward went on to say that he "held" the door meaning that no additional people could enter, because he was close to full occupancy. Mr. Steward stated that the promoter used a "cut line" to allow those willing to pay extra money to gain entry. Mr. Steward stated that he was unaware of the promoter's actions and Mr. Steward did not explain how he became aware nor at which point during the night he became aware. At the end of the interviews the investigators did not know how and why the victim was shot and the victim could not be interviewed because he was in surgery.

Later in the day on Saturday, September 29, 2012, Investigator Martin responded to MedStar Hospital and interviewed Tyrone Williams, the complainant on the PD-251. Although Mr. Williams was in tremendous pain he was able to explain in a low and sometimes inaudible tone that he heard about the party through a friend and when he and his friends arrived there were over 80 people trying to gain entry through the dock side entrance. Mr. Williams stated that the dock area was crowded with people and he heard someone from security say "Get back or I'll tase you". Mr. Williams stated that he heard the sound of the taser and saw an arm moving from side-to-side and the crowd stepped back causing a wave effect. Mr. Williams stated that he recalls someone saying that the side door was opening and he followed the crowd to the side of the building and there he saw a

male security guard standing in the open door way. Mr. Williams stated that the crowd was out of control and everyone moved towards the door at once and a fight erupted. Mr. Williams stated that the security guard closed the door shutting the partygoers out. Mr. Williams stated that the momentum of the fight caused the crowd to widen and then he heard a gunshot and he fell to the ground (Exhibit #11) after being struck in the back by a bullet. Mr. Williams stated that he was not involved in the fight and he does not know the individuals involved in the fight. Mr. Williams stated that a friend stayed with him and he does not recall any security guards assisting them. The partygoers were trapped when the fight and shooting erupted, in other words the only way to flee was the same direction entered (Exhibits #12 & 12A, Exhibit 12A taken on 10-1-2012).

Investigator Martin saw that there was one way in and one way out for the partygoers once they were at the side door. Towards the northeast corner of the lot was a high chain linked fence (Exhibit #11, Google photograph). On Saturday, September 29, 2012, Investigator Martin reviewed ABRA's records which revealed that Warehouse/Loft does not have a Security Plan or Voluntary Agreement. Investigator Martin reviewed the contract submitted by Mr. Steward and discovered that the submission was not a contract, but a flyer.

On Saturday, September 29, 2012, Cathy Lanier, MPD Chief of Police, decided that the Warehouse/Loft presented a danger to the public and used her authority to temporary close Warehouse/Loft pending a hearing, effective Saturday, September 29, 2012, at 6:00 p.m. (Exhibit #13).

On Monday, October 1, 2012, Investigator Martin telephonically spoke with Charlene Williams, the victim's mother and she reported that a portion of Mr. Williams' stomach was removed.

On Monday, October 1, 2012, Investigator Martin contacted Fire Inspector Ronnie Worrell about concerns of the establishment using one entrance for patrons to enter and exit and requested that a safety check be conducted. Investigator Martin reached out to Mr. Steward and requested to meet with him to review the video footage. At approximately 3:00 p.m., ABRA Investigators Martin, Apraku and Inspector Worrell visited Warehouse/Loft and met with Mr. Steward. Inspector Worrell went forward with his inspection and Investigator Martin requested of Mr. Steward to review the video footage. Mr. Steward quod the video footage adding that the hour displayed on the video footage was off by an hour, however; he did not know if the hour was off ahead or behind real time. All continued to review Camera 13, which showed the dock area preparing for the nights function, however, the video footage skipped and showed the establishment during a time period not in question. Mr. Steward commented saying that the video was here the police saw it, and I don't know where the footage went. Moreover, Mr. Steward stated that he will go to the internet for assistance on how to retrieve the information. Investigator Martin asked Mr. Steward why only one entrance was used (dock area) and he replied that as patrons arrived on the main level he wants to give them an opportunity to select which side to occupy, between the warehouse side or loft side. When asked about the occupancy on the left side Mr. Steward stated the majority of patrons were on the loft side. Investigator Martin pressed Mr. Steward for an approximate number then he settled on 200 patrons on the loft side. Inspector Worrell heard the conversation and commented "That's too many" and went on to explain the reasons why. Mr. Steward provided Inspector Martin with an unsigned copy of the contract between Warehouse/Loft, Mr. Williams and Mr. N'dour (Exhibit #14). Investigator Martin requested a copy of the signed version and Mr. Steward stated that the signed copy was provided to Mr. Williams and Mr. N'dour, and he will get a signed copy to the investigator.

After Inspector Worrell's inspection he determined that the establishment had numerous electrical violations which were serious in nature, but did not rise to the level of closure. Inspector Worrell counseled Mr. Steward on using one entrance. Inspector Worrell advised Mr. Steward he would be cited and a complete report will be provided.

EXHIBITS ATTACHED

Exhibit #1: Copy of PD-251 #12137520
Exhibit #2: Copy of PD-251 #12137521
Exhibit #3: Photograph of Dock Area
Exhibit #4: Photograph Showing Where Police Officers were Standing
Exhibit #5: Copy of Regulatory Inspection
Exhibit #6: Google Photograph of 4th Street
Exhibit #7: Photograph of Damaged Tent
Exhibit #8: Photograph of Side Door
Exhibit #8A: Photograph of Side Door
Exhibit #9: Photograph of Closed Dock Door
Exhibit #10: Photograph of Security Attire
Exhibit #11: Photograph Where Victim Fell
Exhibit #12: Photograph of Dead End
Exhibit #12A: Photograph of Locked Gate
Exhibit #13: Copy of Closure Notice
Exhibit #14: Copy of Contract

*Not listed in the History is the 2009 report authored by Investigator Martin charging Mr. Steward with selling alcoholic beverages without a license at the same location where the shooting occurred. The report was referred to the Office of the Attorney General (OAG) for action. The violation was prior to the granting of the current ABC License.

INVESTIGATIVE HISTORY

- 11/2/09: **Case #09-CMP-00774**, Operating after board approved hours. 12/9/09: The Board has requested a Show Cause Hearing. 3/11/10: The Board scheduled a Status Hearing for 4/14/10 and a Show Cause Hearing for 5/19/10. 4/14/10: The Board accepted an OIC of a \$500 fine payable 4/14/10. 4/14/10: Fine paid.

Abbreviations

OIC = Offer in Compromise

GOVERNMENT WITNESS INTERVIEWED

NAME: Officer Leonard Roccato	ADDRESS: 1805 Bladensburg Rd, N.E.	TEL # 202-727-4510
NAME: Inspector Ronnie Worrell	ADDRESS: 1100 4 th Street S.W. #E-700	TEL # 202-727-1600
NAME:	ADDRESS:	TEL #
NAME:	ADDRESS:	TEL #

Investigator's Printed Name Felicia Martin Signature and Date Felicia Martin 10/2/12

Reviewed By Printed Name _____ Signature and Date _____

Approved By Printed Name Jeffrey Jackson Signature and Date [Signature] 10/2/12

Exhibit #1

Preliminary Public MPD Document



Metropolitan Police
Department Washington,
D.C.

Incident - Based Event Report

REPORT NUMBER: 12137520

PART I - CLASSIFICATION OF EVENT					
TYPE OF REPORT Offense	EVENT START DATE / TIME 09/29/2012 / 0055	EVENT END DATE / TIME 09/29/2012 / 0055	DATE OF REPORT 09/29/2012	TIME OF REPORT 0230	
DISTRICT 5D	SECTOR	PSA 506	COMPLAINT NUMBER 12137520		
EVENT LOCATION ADDRESS 411 NEW YORK AVE NE	POSITION ALONG SIDE OF	REPORT RECEIVED BY	RADIO RUN LOCATION IF DIFFERENT FROM EVENT LOCATION	PROPERTY TYPE PRIVATE	
EVENT NO. 1 ASSAULT W/I TO KILL					
FORCED ENTRY NO	POINT OF ENTRY	Method Used		WEATHER CONDITIONS CLEAR	
SUSPECTED HATE CRIME?	SECURITY SYSTEM	LOCATION TYPE BAR/NIGHT CLUB	DESIGNATED AREAS OTHER		
PART II - VICTIM INFORMATION					
TYPE COMPLAINANT	NAME OF COMPLAINANT/VICTIM/MISSING PERSON NO. WILLIAMS, TYRONE		RELATED TO EVENT NO(S). 1	VICTIM TYPE INDIVIDUAL	
DATE OF BIRTH [REDACTED]	AGE RANGE 23 / 23	SEX MALE	HOME PHONE [REDACTED]	BUSINESS PHONE	
1 RACE / ETHNICITY BLACK / NOT OF HISPANIC ORIGIN	HOME ADDRESS [REDACTED]				
BUSINESS ADDRESS/SCHOOL	OCCUPATION	IS EVENT RELATED TO OCCUPATION?			
ADDITIONAL MEANS TO CONTACT COMPLAINANT/VICTIM NO.					
IS VICTIM #1 THE REPORTING PERSON? IF NO, ENTER THE NAME, ADDRESS, AND PHONE NUMBER OF THE REPORTING PERSON. NO			NAME: ROCCATO, L	Phone-Area Code: (202) 698-0150	
			Address: 1805 BLADENSBURG RD NE, WASHINGTON, DC 20002		
DID THE REPORTED EVENT OCCUR AS A RESULT OF AN INTRA-FAMILY MATTER? NO	A. WAS PD FORM 378A ISSUED?	IS CPO/TPO OUTSTANDING? NO	IF YES, ENTER CPO/TPO #:		
INJURIES Use the following codes to describe injuries. N = None Visible O=Other Major Injury M = Apparent Minor Injury I = Possible Internal Injury T = Loss of Teeth L=Severe Laceration B = Apparent Broken Bones G = Gunshot U = Unconscious					

PART III - PROPERTY					
Codes	S = Stolen	I = Impound	L = Lost	E = Evidence	V = Vehicle from which theft occurred

R = Recovered P = Suspected proceeds of crime

F = Found

D = Alleged drug type

O = Other

PART IV - VEHICLE INFORMATION**PART V - SUSPECT INFORMATION****PART VI - MISSING PERSONS****NARRATIVE** Describe event and action taken.

R-1 REPORTS THAT AT THE LISTED LOCATION, HE HEARD APPROX. 6 TO 10 SHOTS. C-1 WAS FOUND IN THE REAR OF 411 NEW YORK AVE NE (THE WAREHOUSE/ THE LOFT), ON THE GROUND WITH A SINGLE GUNSHOT TO THE LOWER BODY. C-1 WAS TRANSPORTED TO MEDSTAR BY MEDIC 17 AND TREATED BY DR STREET. C-1 WAS LISTED IN STABLE CONDITION. 5D23 (DET CLINGERMAN) AND CSS RESPONDED TO THE SCENE. CIC WAS NOTIFIED AT 0430 OFC YOUNG

EVIDENCE TECHNICIAN/CSES #	NAME OF INVESTIGATOR NOTIFIED	TELETYPE NOTIFIED (Name)	NOTIFICATION ALSO REQUIRED WHENEVER MISSING PERSON LOCATED		
TELETYPE #	REPORTING OFFICER'S SIGNATURE ROCCATO JR, LEONARD C	REPORTING OFFICER'S EMAIL	BADGE NUMBER 2084	ELEMENT 5D	
OTHER POLICE AGENCY	SECOND OFFICER'S NAME	SECOND OFFICER'S EMAIL	BADGE NUMBER	ELEMENT	
SIGNATURE OF SUPERVISOR GRAY, GEORGE C	SUPERVISOR'S EMAIL george.gray@dc.gov	BADGE NUMBER S0435	ELEMENT 5D	REVIEWER	STATUS OPEN

Exhibit #2

Metropolitan Police
Department Washington,
D.C.

Incident - Based Event Report

Preliminary Public MPD Document



REPORT NUMBER: 12137521

PART I - CLASSIFICATION OF EVENT					
TYPE OF REPORT Incident	EVENT START DATE / TIME 09/29/2012 / 0213	EVENT END DATE / TIME 09/29/2012 / 0213	DATE OF REPORT 09/29/2012	TIME OF REPORT 0213	
DISTRICT 5D	SECTOR	PSA 507	COMPLAINT NUMBER 12137521		
EVENT LOCATION ADDRESS 411 NEW YORK AVE NE	POSITION ALONG SIDE OF	REPORT RECEIVED BY OFFICER	RADIO RUN LOCATION IF DIFFERENT FROM EVENT LOCATION	PROPERTY TYPE PRIVATE	
EVENT NO. 1 ABC VIOLATION OR INCIDENT					
FORCED ENTRY NO	POINT OF ENTRY	Method Used		WEATHER CONDITIONS	
SUSPECTED HATE CRIME?	SECURITY SYSTEM	LOCATION TYPE PRIVATE		DESIGNATED AREAS OTHER	
PART II - VICTIM INFORMATION					
IS VICTIM #1 THE REPORTING PERSON? IF NO, ENTER THE NAME, ADDRESS, AND PHONE NUMBER OF THE REPORTING PERSON. NO		NAME: RACCATO, L OFC		Phone-Area Code:	
		Address: 1805 BLADENSBURGH RD NE, WASH, DC			
DID THE REPORTED EVENT OCCUR AS A RESULT OF AN INTRA-FAMILY MATTER? NO	A. WAS PD FORM 378A ISSUED?	IS CPO/TPO OUTSTANDING? NO	IF YES, ENTER CPO/TPO #:		
INJURIES Use the following codes to describe injuries. N = None Visible O=Other Major Injury M = Apparent Minor Injury I = Possible Internal Injury T = Loss of Teeth L=Severe Laceration B = Apparent Broken Bones G = Gunshot U = Unconscious					

PART III - PROPERTY						
Codes	S = Stolen	I = Impound	L = Lost	E = Evidence	V = Vehicle from which theft occurred	
	R = Recovered	P = Suspected	proceeds of crime	F = Found	D = Alleged drug type	O = Other
PART IV - VEHICLE INFORMATION						
PART V - SUSPECT INFORMATION						
PART VI - MISSING PERSONS						

NARRATIVE Describe event and action taken.

R-1 REPORTS ON THE LISTED DATE AND TIME THAT A SHOOTING OCCURRED AT 411 NEW YORK AVE NE (THE WAREHOUSE/LOFT) WITH CCN 137-520. INVESTIGATOR FELICIA MARTIN OF ABRA RESPONDED TO THE SCENE.

EVIDENCE TECHNICIAN/CSES #	NAME OF INVESTIGATOR NOTIFIED	TELETYPE NOTIFIED (Name)	NOTIFICATION ALSO REQUIRED WHENEVER MISSING PERSON LOCATED		
TELETYPE #	REPORTING OFFICER'S SIGNATURE ROCCATO JR, LEONARD C	REPORTING OFFICER'S EMAIL	BADGE NUMBER 2084	ELEMENT 5D	
OTHER POLICE AGENCY	SECOND OFFICER'S NAME	SECOND OFFICER'S EMAIL	BADGE NUMBER	ELEMENT	
SIGNATURE OF SUPERVISOR GRIFFIN, RANDY D	SUPERVISOR'S EMAIL	BADGE NUMBER S0900	ELEMENT 5D	REVIEWER	STATUS OPEN

9-28-12



Exhibit 13

Exhibit #4





Alcoholic Beverage Regulation Administration
Enforcement Division
Licensed Premises

Exhibit #5

☒ Regulatory Inspection

☐ Re-Inspection

VA:

Date: 9/29/2012

Time In: 1:39

☒ A.M. ☐ P.M.

Time Out: 2:01 ☒ A.M. ☐ P.M.

License: # 82667

Business Name: 411 Dancie Associates LLC

Endorsements

Expiration: 3/31/13

Trade Name: Warehouse 10ft

License Class: CX

Address: 411 New York Ave NE

☐ Fine Dining

Ward: 5

☐ Dining w/Bar

Telephone: (202) 510-7276

☐ Dining w/o Bar

☒ N/A

ABC Manager(s):

E-mail:

Owner: Samuel Steward

gahs19@aol.com

DC # 207065 Exp: 2/19/2020

In what language does the licensee need vital documents translated?

English

C of O # 0901220 Date Issued: 2/17/09

Zone: C-M-1 Occupancy Load: 429

Kitchen Operating: ☐ Yes ☐ No ☒ N/A

Approved Floors: 3rd

Toilet Facility: ☒ Yes ☐ No ☐ N/A

Trash: Name of Company: Bldg

Days of removal: 2X

Days	Hours of Operation	Hours of Sales	Entertainment Hours	Sidewalk Hours	Summer Garden Hours
Sunday	1pm - 3am	1pm - 2am			
Monday	5pm - 3am	5pm - 2am			
Tuesday					
Wednesday					
Thursday					
Friday	5pm - 4am	5pm - 3am			
Saturday	5pm - 4am	5pm - 3am			

REQUIRED ITEMS

☒ Yes ☐ No ☐ N/A

Posting of ABC License - 25-711 (a)

☒ Yes ☐ No ☐ N/A

Under 21 Sign - 25-713

☒ Yes ☐ No ☐ N/A

ABC Window Lettering - 25-711(a)

☒ Yes ☐ No ☐ N/A

Pregnancy Sign - 25-712

☐ Yes ☐ No ☒ N/A

Signage - 25-763 or 25-765

☐ Yes ☐ No ☒ N/A

Keg Registration - 25-763

☒ Yes ☐ No ☐ N/A

Books & Invoices - 23 DCMR 1204.3

☐ Yes ☐ No ☒ N/A

Import Permits - 23 DCMR 1204.3

Remarks to include confirmation or discrepancy in hours, list other pertinent licenses:

Advised establishment on Quarterly Statement Requirements Yes ☐ No ☐ N/A ☒ Delinquent Yes ☐ No ☐

Investigator's Recommendations:

☐ Re-Inspection ☐ Warning Letter ☐ Citation ☐ Refer to Board ☐ Refer to Another Agency ☐ Violations

ABC Approved Manager / Owner Signature

Investigator Signature



Exhibit #6

Q-28-12



Exhibit #7



Exhibit #8

A photograph of a brick building with two red doors and two red signs. The signs are handwritten and read "Red Door" and "Red Door". The building has several windows and a utility pole in front of it. The photograph is oriented horizontally on the page.

A photograph of a brick building with a red door and a blue door. Handwritten labels 'Red Door' and 'Blue Door' are placed on the image, pointing to the respective doors. The building has several windows and a utility pole is visible in the foreground.

A photograph of a brick building with a red door and a blue door. Handwritten labels 'Red Door' and 'Blue Door' are placed on the image, pointing to the respective doors. The building has several windows and a utility meter on the wall. A street sign is visible on the left side of the image.



Exhibit #9

SECURITY

保
#10





Exhibit #71

Exhibit #12,





Exhibit #12#



GOVERNMENT OF THE DISTRICT OF COLUMBIA
METROPOLITAN POLICE DEPARTMENT

September 29, 2012

Mr. Fred Moosally
Director, Alcoholic Beverage Regulation Administration
2000 14th Street, NW
Suite 400 South
Washington, D.C. 20009

Dear Mr. Moosally:

This letter is in reference to the establishment located at 411 New York Avenue, NE, operating as "The Warehouse Loft" with a Retailer's Class "CZ MU" (ABRA-082667). This establishment is located in Ward 5. I am requesting that an immediate revocation of the alcohol license take place to ensure the safety of all the citizens and visitors of Washington, D.C.

On Friday, September 28, 2012, "The Warehouse Loft" was opened and hosted a hip hop music event. At 12:53 a.m., on Saturday, September 29, 2012, a complainant who was a patron of the establishment was shot in the back in the east parking lot of the establishment. The complainant was transported to Medstar for emergency surgery and was unable to describe the circumstances that led to the shooting. There is reason to believe that because the complainant was a patron of the establishment and this offense occurred in the parking lot of the establishment during an ongoing music event, that this offense is related to the establishment.

The establishment did not have any members working a reimbursable detail outside of the premises during the incident, and eight (8) security personnel inside of the club. The club hosted an event consisting of a disc jockey (DJ). The Alcoholic Beverage Regulation Administration (ABRA) was also notified of this incident, and Investigator Felicia Martin responded. A police report was taken and classified as an Assault with Intent to Kill bearing Central Complaint Number (CCN) 12-137-520.

Consequently, pursuant to D.C. Official Code § 25-827, I hereby request that the Alcoholic Beverage Control Board (the Board) revoke the license for "The Warehouse Loft" to sell or distribute alcoholic beverages. Pursuant to my authority under the Emergency Suspension of Liquor Licenses Act of 2005 (D.C. Law 16-20, D.C. Official Code § 25-827), I intend to close "The Warehouse Loft" effective at 6:00 p.m. on September 29, 2012, for up to 96 hours subject to a hearing and pending disposition by the Board under D.C. Official Code § 25-826.

I find that continued operation of this establishment presents an imminent danger to the health and safety of the public, that there would be an additional imminent danger to the health and welfare of the public if the establishment is not closed, and that there is no other immediately available measure that would ameliorate the threat to public safety.

Additional information pertaining to crime statistics and calls for service will be provided to the Department of Consumer and Regulatory Affairs, the Office of the Attorney General and ABRA. I believe that the information obtained by the Metropolitan Police Department has provided the Board with sufficient information to make an evaluation and decision of my request.

Should you need additional information, please contact Commander Andrew Solberg of the Patrol Services and School Security Bureau, Fifth District at (202) 698-0111.

Sincerely,



Cathy L. Lanier
Chief of Police

cc: Allen Y. Lew, City Administrator
Paul Quander, Deputy Mayor for Public Safety and Justice
Irvin B. Nathan, Attorney General
Nicholas Majetti, Director Department of Consumer and Regulatory Affairs
Diane C. Groomes, Assistant Chief of Police
Commander Andrew Solberg, Fifth District